

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NATHANIEL PORTER,
a/k/a N. Kalonji Owusu, I,

Case No. 1:05-CV-562

Plaintiff,

v.

Hon. Richard Alan Enslen

PATRICIA L. CARUSO, *et al.*,

ORDER

Defendants.

Plaintiff N. Kalonji Owusu, I, formerly known as Nathaniel Porter, has objected to United States Magistrate Judge Ellen S. Carmody's Order of October 30, 2006, denying Plaintiff's Motion for Rule 11 Sanctions. Oral argument is unnecessary in light of the briefing. The Order in question is a non-dispositive pretrial order which is reviewed to determine whether it is "clearly erroneous or contrary to law." *See* 28 U.S.C. § 636(b)(1)(A).

Upon review of the instant matter, the Court finds that the Order should be affirmed as not clearly erroneous or contrary to law. The record does not support an award of sanctions. It appears that Defendants' counsel has acted properly and the provisions of Rule 11 do not permit an award of sanctions.

THEREFORE, IT IS HEREBY ORDERED that Plaintiff's Objection (Dkt. No. 110) is **DENIED** and the Order of October 30, 2006 (Dkt. No. 105) is **AFFIRMED**.

DATED in Kalamazoo, MI:
December 11, 2006

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE